

Remarks

This application has been reviewed in light of the Office Action dated January 11, 2008. In view of the foregoing amendments and the following remarks, favorable consideration and withdrawal of the rejection set forth in the Office Action are respectfully requested.

Claims 1-4, 7 and 13 are pending, of which Claim 1 is the sole independent claim. Claims 1 and 2 have been amended. Support for the changes can be found in the specification, as originally filed. Therefore, no new matter has been added.

Claims 1-4, 7 and 13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,233,426 (*Lee et al.*) in view of U.S. Patent No. 4,114,236 (*Vandervort*) and U.S. Patent No. 5,541,712 (*Fujitaka et al.*). This rejection is respectfully traversed. Nevertheless, Applicants have amended Claims 1 and 2 to further clarify certain features of the present invention.

Claim 1 is directed to an original cover of an image reading apparatus having a cover member, a hinge member, and one torsion spring. The hinge member has one end pivotally supporting a rotary shaft on the cover member. The torsion spring has a coil body configured and positioned to bias the cover member in a direction parallel to the rotary shaft to eliminate the play between the hinge member and the cover member in the direction parallel to the rotary shaft.

The Office Action relies on the teaching of *Lee et al.*, *Vandervort*, and *Fujitaka et al.* to reject independent Claim 1. In particular, the Office Action acknowledges that *Lee et al.* does not disclose a torsion spring eliminating play and biasing a cover member in a direction parallel to the rotary shaft, or that the cover member is biased in a direction in which the cover

member can be rotated. *Fujitaka et al.* is relied upon to teach a torsion spring. *Vandervort* is stated to teach “one spring...used to eliminate play in a particular direction and specifically bias the cover member in a particular direction...and that cover member is specifically biased in the direction in which said cover member can be rotated” (Office Action, Page 3).

However, Claim 1 as amended recites that the coil body is configured and positioned to bias the cover member in a direction *parallel* to the rotary shaft to eliminate play between the hinge member and the cover member in the direction *parallel* to the rotary shaft. As such, the alleged teaching of elimination of play and bias the cover member in a “particular direction” by *Vandervort* does not teach or suggest the feature as recited in the claim.

Moreover, Applicants submit that in *Vandervort*, the opening and closing operation of a cover 16 changes the axial positional relation between the hinge member and the cover member, which can render the position of the cover unstable. In contrast, Claim 1 recites that the axial positional relation between the hinge member and the cover member is made constant.

Therefore, Applicants submit that *Lee et al.*, *Vandervort*, and *Fujitaka et al.*, whether taken individually or in combination, fail to teach or suggest all the features recited in independent Claim 1.

Accordingly, Applicants submit that independent Claim 1 is patentable over the cited art and request withdrawal of the rejection under 35 U.S.C. § 103. Dependent Claims 2-4, 7 and 13 are submitted to be patentable by virtue of their dependencies on allowable Claim 1, as well as for the additional features they recite. Individual consideration of these claims is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address given below.

Respectfully submitted,

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FCIS_WS 2089868v1